IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE
Civil Writ Petition No.2754 of 2006

Ratan Shankar Rathod — Petitioner
Vs.
The Asst. Municipal Commissioner
and ors. — Respondents

None for petitioner.
Mr.J.J.Xavier for resp.nos.1 to 3.

CORAM: B.H.MARLAPALLE & S.R.SATHE, JJ.

April 23, 2007.

P.C.

. None for the petitioner. It appears that the petitioner sought some information from the Respondent - Corporation initially and the same was informed to her as per the letter dated 29/12/2005 by the Assistant Commissioner "T" Ward of the said Corporation.

. The petitioner has thereafter submitted a letter on 24/4/2006 and sought for the information as set out therein. The same having not been supplied to her, she has filed this petition.

. If that be so, the remedy for the petitioner lies under the Right to Information Act, 2005 itself that either to submit a fresh application in the

prescribed form and on payment of the prescribed fees to the Information Officer of the Chief Information Officer of the respondent - Corporation and if she does not receive any reply from such authority within the specific period, she has the remedy of appeal under the Act itself. Unless the remedies set out under the Act i.e. the Right to Information Act, 2005 are exhausted by the petitioner, it would not be safe to entertain a writ petition under Article 226 of the Constitution.

. Hence the petition is disposed by relegating the petitioner to invoke her rights under the Right to Information Act, 2005.

(S.R.SATHE,J.) (B.H.MARLAPALLE,J.)